

REMARKS

Claims 1-22 are all of the pending claims, with claims 1, 6 and 22 being written in independent form.

I. Withdrawn Claims 6-11 and 17-21:

The Examiner has withdrawn claims 6-11 and 17-21 from further consideration for being drawn to a non-elected species (Figs. 3a-4d), as identified by the Examiner. Applicant respectfully submits that claim 22 is generic. Accordingly, if claim 22 is allowed, then claims 6-11 and 17-21 should be reinstated and also allowed.

II. Claim Rejection on Prior Art Grounds:

The Examiner rejects claims 1-5, 12-16 and 22 under 35 USC 103(a) as being obvious over US 5,323,132 to Abot et al. ("Abot") in view of US 3,942,143 to Pollmann et al. ("Pollmann"). Applicant respectfully traverses this rejection for the following reasons.

A. Independent Claim 1:

Independent claim 1 recites (among other things) that the auxiliary contact bridge is "elastically deformable between a first stable position and a second stable position." An example, non-limiting embodiment of this feature will be appreciated with reference to Figs. 1a-2d.

Turning first to Fig. 1a, the auxiliary contact bridge 6 may assume a first stable position in which the auxiliary contact bridge 6 has a concave shape in the downward direction. As the device is switched from an ON STATE to an OFF STATE, the auxiliary contact bridge 6 abuts the auxiliary fixed contacts 7. By virtue of this interaction, the auxiliary contact bridge 6 may be elastically deformed into the second stable position, as shown in Fig. 1d. Here, the auxiliary contact bridge 6 may assume a concave shape in the upward direction. The elastic deformation of the auxiliary contact bridge 6 is discussed at paragraph [0026]+ of the instant specification. Also, the auxiliary contact bridge 6 may be elastically deformed from the first stable position back to the second stable position when the device is switched from the ON STATE to the OFF

STATE, as illustrated in Figs. 2a-2d, and as discussed at paragraphs [0029]+ of the instant specification.

Applicant notes that the claimed “elastically deformable” feature is consistent with the plain meaning of the term deformed, which simply means that the shape of the auxiliary contact bridge 6 may be altered by pressure or stress.

At least the “elastically deformable” feature (as recited in independent claim 1), in combination with the other features recited in independent claim 1, is not taught or suggested by the prior art relied upon by the Examiner.

The Examiner looks to the Abot reference to teach all of the features of the claimed invention, except for a contact bridge being mounted on a carrier via a spring. Therefore, the Examiner looks to the Pullman reference to allegedly teach this feature. This rejection position is not convincing for the following reasons.

The Examiner’s heavy reliance upon the Abot reference is misplaced. According to the Examiner, and with reference to Fig. 1 of Abot, each of the auxiliary switches 13, 14 and 15 includes an auxiliary contact bridge having a first stable position and a second stable position. Applicant agrees with the Examiner, but only to the extent that each auxiliary switch 13, 14 and 15 includes moveable contacts. Specifically, and with reference to Fig. 3 of Abot, the moveable contacts are mounted on an operating member 12. The operating member 12 (together with the moveable contacts) may be moved in the direction F (and against the influence of a return spring 12’) to close the auxiliary switches 13, 14 and 15, and in the direction G (under the influence of the returned spring 12’) to open the auxiliary switches 13, 14 and 15.

In contrast to the claimed invention, however, during the reciprocating movement of the operating member 12, the moveable contacts of the auxiliary switches 13, 14 and 15 **do not** elastically deform. That is, the shapes of the moveable contacts remain fixed. This is not at all surprising because Abot teaches that the disclosed operating sequence is achieved by “careful choice of the travels of the two contact holders.”¹ Furthermore, to eliminate longitudinal clearance in the device, Abot provides a coupling 20 between the respective operating members 12 and 6 that includes an elastic plate 29’, which is disclosed as imparting a calibrated

¹ Abot columns 3, lines 48-53.

penetration and longitudinal clamping so that the operating members 12 and 6 may have accurately defined relative positions.²

Applicant respectfully submits that the Pullman references fails to make up for the deficiencies of Abot noted above.

B. Independent Claim 22:

Independent claim 22 is somewhat similar to independent claim 1 to the extent that claim 22 also recites an “elastically deformable” feature. Accordingly, independent claim 22 is believed to be patentable for reasons analogous to those noted above with respect to claim 1.

CONCLUSION

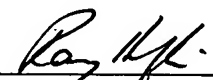
In view of the above, Applicant earnestly solicits reconsideration and allowance of all of the pending claims.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By: 
Ray Heflin, Reg. No. 41,060

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

DJD/HRH:lmg

² Abot column 4, lines 55-61.